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SITUATION OF HUMAN RIGHTS IN THE TERRITORY OF THE FORMER YUGOSLAVIA

Written statement submitted by International Educational Development, Inc., a non-governmental organization on the Roster

The Secretary-General has received the following written statement, which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[24 February 1993]

In IED's earlier report The Minority Paradox in Croatia by Darko Gottlicher circulated at the 1992 session of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities and at the Commission's 1992 1st Special Session, we presented concerns of the outcome in the former Yugoslavia if various peace plans were not respected by all sides. We now present the key elements of the plan proposed by Special Deputy Cyrus Vance and evidence of serious non-compliance. This situation places the whole area and its peoples at grave risk.

The "Vance Plan"

The key elements of the plan proposed by Special Deputy Vance (the "Vance plan") are:

1. Supervision of a cease-fire;

2. Withdrawal of heavy artillery from both sides;

3. Disarmament of all Serbian paramilitary units;

4. Return of the refugees;

5. Prevention of arms for military and paramilitary units in Serbia, Bosnia and Herzegovina and the Serbian-occupied portion of Croatia;

6. Protection of human and property rights in the Serbian-occupied portions of Croatia.

Additionally, Security Council resolution 762 ordered the Serbian militias to withdraw from the "pink zones" - areas inside the territory of Croatia but outside the control of United Nations forces. Resolution 762 stresses Croatian sovereignty.

Non-compliance with the "Vance Plan"

The "Vance Plan" has been successful in establishing a cease-fire on most front lines in Croatia although the United Nations Protection Forces (UNPROFOR) have received sporadic provocations from Serbian aggressors. However, in the area of heavy artillery, success drops dramatically. While in all four zones - North, South, East, West - there are UNPROFOR-controlled repositories of heavy artillery from Serbian forces, in both the East and North sectors, a large number are still in Serbian control.

Proportional disarmament of Serbian militias is even more unsuccessful. In fact, all "militia-type" entities have become Serbian dominated, including "police" units under Serbian authority. In the "pink zones", these units actually control unimpeded.

There is literally no action to return refugees, except a modest effort by UNPROFOR in the West sector, where even so, the UNPROFOR claims to be powerless to control provocations. UNPROFOR also does not have sufficient forces to control the flow of arms to military and paramilitary units in all three areas: Bosnia and Herzegovina, Serbian-occupied portions of Croatia and Serbia. Equally dismal is the failure to achieve protection of human rights and property - non-Serbian people in the areas have been plundered, especially in the East where a Russian battalion took over responsibility.

Problems in the "Pink Zones"

The "Pink Zones" have yet to come under the control of Croatian authorities but remain instead effectively under Serbian militia control. In further defiance of United Nations mandates, the Serbian forces are creating phantom nations such as the "Republic of Serbian Krajina", complete with flags, currency, custom houses and the like in all areas under their control.

UNPROFOR has apparently been unable to prevent these serious violations by Serbian forces in the "pink zones". One problem is that there are no specific timetables for the withdrawal of Serbian forces. The Serbian forces are trying to achieve economic advantages and to prolong as long as possible to improve their "bargaining" position. The Serbians are hoping that their self-proclaimed "Republic of Serbian Krajina" will obtain some durable character.

The attempts to set up small puppet states out of Serbian-held Croatian territory presents an image of silent occupation and UNPROFOR ineffectiveness raises fear that this situation will become the status quo. Of course, the longer Serbian forces control these areas of Croatia, the more Croat people try to flee, thus also creating a kind of "ethnic cleansing". This should be most strongly resisted and condemned by the international community. Obviously for the people directly affected, it is a personal tragedy, but for the international community it will certainly prolong the conflict in the area.

The Maslenica Bridge operation

The Maslenica Bridge connects the southern part of Croatia, with about 700,000 inhabitants, to the rest of the country. The Serbian militias had extended the "pink zone" in that area to engulf the Bridge, which they then blew up in an attempt to completely cut off the southern portion of Croatia. The UNPROFOR was ineffective in attempts to force Serbian withdrawal from the area or to restore the bridge sufficiently for use. After a great deal of frustration, the Croatian forces themselves succeeded in ousting the Serbian forces from the bridge, even though the Serbian forces seized heavy artillery from UNPROFOR and also dipped into their hidden supplies.

The area is now under Croatian control, but we have evidence that Serbian forces are amassing all along the Southern flank for a new offensive. These plans will be assisted by other offensives in Bania (Western sector) and Baranja (Eastern sector). These actions, taken simultaneously, could easily overwhelm the UNPROFOR and lead to numerous casualties. IED thinks it is far better for UNPROFOR to act in anticipation rather than wait for the full-scale onslaught. The UNPROFOR must be given full authority and equipment to allow for effective push-back of the Serbian forces.

The internally displaced

During the Serbian control of the Southern area, more than 20,000 Croats were expelled and are now internally displaced in other parts of Croatia. These people join thousands of others, increasing the burden on Croatian resources and those of the international community.

Many of these people have had all their belongings and property seized and destroyed, making prospects for return after hostilities are over marginal. In order to carry out a return programme, the international community will have to provide for the rehabilitation of the areas, including necessary infrastructure. Those who will not or cannot return to their places of origin will need to be permanently accommodated in other areas. It is not too premature for the government of Croatia, assisted by the international community, to begin major planning for this.

Conclusion

International Educational Development has closely followed all events in the former Yugoslavia. We have already transmitted much information and testimonies to the Commission and the international community as a whole. Now we must make a stronger appeal. While this statement primarily concerns Croatia, we could have written nearly the same about Bosnia-Herzegovina. We fear our next may be about Kosovo or Sandjak or Macedonia. When governments and people lose authority and basic concepts of the rule of law and human rights it is up to the international community to restore order. That is the meaning of Articles 1 and 2, 55 and 56 of the Charter.